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3211P

Procedure: Gender-Inclusive Schools



Acknowledgements

The following is to recognize the role of La Center School District concerning matters involving student transgender identity, gender identity, gender transitioning, and possible gender confusion.

The La Center School District acknowledges that:

- District teachers, school counselors, administrators, school psychologist, and classified employees want safe, high performing schools in the District and what is best for children, particularly the children they work with on a daily basis;
- The District's cautious approach herein does not call into question the good faith and caring of District employees for the welfare of children;
- The District recognizes the role of schools and school districts to educate children and the role of parents/guardians to make important medical decisions for their children. The Parents/guardians are the first teacher of their children and the District partners to provide high quality education.
- The District recognizes the value of the family in supporting their children through a confusing adolescent landscape which requires policy and procedure around gender inclusive schools.

Guiding Principles

The District recognizes that parents/guardians have the primary role to play in anything affecting the health and welfare of their children. Additionally, questioning gender identity and gender transitioning affects the health and welfare of children.

1. All children in the schools should be protected from harassment, intimidation, bullying, and unlawful discrimination, including children who question their gender identity. School personnel should protect all children from discrimination

by following BP 3210 and 3210P on “Nondiscrimination.”

2. The La Center School District will use board policy 3211 and 3211P on “Gender Inclusive Schools” to guide their work with children who may, on their own volition or in the confines of their family, question their gender identity.

3. While under the law it is the role of the school to avoid and prevent discrimination on the basis of gender identity or expression, it is not the role of the schools to facilitate questioning gender identity or to facilitate gender transitioning.

4. The District will be transparent with parents/guardians and the community about curriculum, instruction, and activities which address gender identity and expression. The school should also be transparent with parents/guardians of children who question their gender identity so that the parents/guardians may provide appropriate support for their children.

5. Curriculum, instruction, and “Gender affirming” activities in schools may cause gender-confusion for children.

6. Social influences may lead some children to question their gender identity when they never had such questions before. Such major social influences affecting some children may include parents/guardians, peers, and school.

7. It is not the proper role of the school to foster curriculum, instruction, or activities which would reasonably be expected to lead children to question their gender identity, when no such questions existed before.

8. “Gender affirming” curriculum, instruction, and/or activities in schools should not be provided where it is not part of the board approved subject matter of a particular class. The District does not provide curriculum, instruction, and/or activities that may lead children who had no gender identity questions to begin with to have such questions.

Definitions/Terms

- **Gender Expansive: A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.**

- **Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.
- **Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, non-binary, gender-expansive, or other—regardless of the gender assigned at birth.
- **Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.

Compliance Officer

Board policy 3211 is a component of the district's supporting a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with training of its staff and volunteers. The superintendent will appoint a primary compliance officer to receive formal and informal complaints and to coordinate implementation of this policy. The compliance officer's name and contact information will be communicated throughout the district. The compliance officer will participate in at least one mandatory training opportunity provided by the Office of the Superintendent of Public Instruction. This procedure will facilitate district compliance with local, state and federal laws concerning harassment, intimidation, bullying and discrimination.

Requested Meeting

Any transgender or gender-expansive student upon the student's enrollment in the district or at any other time, is encouraged to request a meeting with the principal or building administrator, or an appropriate designated school employee, in reference to a student's change of gender expression or identity. Before a school employee contacts a student's parents/guardians, the school would attempt to consult with the student about the student's preferences regarding family involvement and consider whether safety concerns are present for the student.

The goals of the meeting are to:

- develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the district will provide according to Policy 3211 and this

procedure and under state and federal law; and

- develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to their attendance at school.

The student need not attend such a meeting as condition of providing them with the protection to which they are entitled under Policy 3211, this procedure, and state and federal law regarding gender expression or identity.

Communication and Use of Names and Pronouns

Transgender or gender-expansive students may inform school staff how they would like to be addressed.–That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student.

When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

In communication with parents/guardians of transgender or gender expansive students, the school will not withhold information about students from their parents/guardians. The following protocols will be followed regarding how school employees should refer to the student when talking with the student's parents/guardians. We acknowledge that students who identify as transgender and/or gender expansive are more at risk for mental health issues. To that end, in order to make sure they have a supportive environment at school and home, school principals and/or counselors should communicate with parents/guardians.

Collaborative Family Communication Protocol:

1. The governing consideration in communicating with parents/guardians concerning a student who asks to be called by a different name or pronoun, indicating a change in gender identity, is the student's safety. A student's fear or concern about their family learning of their gender identity should not be automatically discounted. However, the student's stated preferences are not the sole factor to consider. Decisions about communicating with a parent/guardian about such things should be made holistically based on as many factors as the school is aware (see, WSSDA Policy and Legal News, March 2022).

2. Students are served best when the school collaborates with students and parents/guardians to create a safe, supportive, and inclusive school environment for all students.
3. When a student requests being called by a different name or pronoun indicating a change in gender we are to honor that request.
4. If a parent/guardian asks if their child has requested the use of a different name or pronoun indicating a change in gender identity, staff will answer the question accurately, providing the requested information and also refer the parent/guardian to the principal unless the parent/guardian has already been informed and been in contact with the principal.
5. If a student asks a staff person for a name or pronoun change, the staff member will promptly share that information with the principal and the student's counselor.
6. The principal and/or counselor will encourage the student to communicate about such name or pronoun changes with their parent/guardian if the student is not already doing so. The principal and/or counselor will also discuss with the student about contacting the parent/guardian about such name and pronoun changes.
7. The principal and/or the counselor will contact the parent/guardian regarding such name or pronoun changes.
8. The principal, counselor, and staff will cooperate and work with parents/guardians and students in such situations.

Official Records

In accordance with law and other Board Policies, the district is required to maintain a permanent student record which includes the student's legal name and gender. The district will change a student's name in such official records to reflect a change in legal name upon receipt of the following:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
1. A written, signed statement explaining that the student has exercised a common-law name change and has changed

their name for all intents and purposes and that the change has not been made for fraudulent reasons.

The district may change a student's official gender designation upon parent/guardian or student request.

The school must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, directory information.

Confidential Health or Educational Information

Information about a student's gender identity, legal name, or assigned sex at birth may constitute confidential medical or educational information. Disclosing this information to other students, or other third parties will violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99).

Parents/guardians have the right under FERPA to request their student's records and if requested, the District will provide the student's educational records to the parent/guardian according to 3231/3231P – Student Records To ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender-expansive status to others, including other school personnel, other students, or the parents/guardians of other students, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Restroom Accessibility (Per WAC 162-32-060 and RCW 28A.642.080)

Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with their gender identity. Any student—regardless of gender identity—who requests greater privacy should be given access to an alternative restroom.

Locker Room Accessibility (Per WAC 162-32-060 and RCW 28A.642.080)

In most cases, the district should provide the student access to the locker room that corresponds to the gender identity or expression. Reasonable alternatives to locker room conditions for any student who wants additional privacy include, but are not limited to:

- Use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- A separate changing schedule (i.e., utilizing the locker room before or after the other students).

The school will provide accommodations needed to allow the student to keep their transgender or gender-expansive status private. No student will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The District will provide all students, including transgender and gender-expansive students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by following the rules established by the Washington Interscholastic Activities Association (WIAA).

Dress Codes

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender. The district will take an approach that conforms with OSPI's guidelines.

Other School Activities

In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips, and overnight trips), students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

The district will designate one person to be the primary contact regarding this policy and procedure relating to transgender or gender expansive students. The primary contact must participate in at least one mandatory training opportunity offered by OSPI. When possible, the District will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;

- Appropriate strategies for communicating with students and parents/guardians about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including bullying and cyber-bullying;
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, gender identity, gender expression issues.

Discrimination and Harassment Complaints

Pursuant to law and other board policies, discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within the district. Any student wishing to complaint of harassment and/or discrimination on the basis of their gender identity or expression may do so by following the procedures set forth in Board Policy 3210 on “Nondiscrimination” along with its procedure, 3210P.

When a complaint is made concerning harassment or discrimination based on gender identity or expression, Board Policy 3211 and this procedure will be shared with the complaining party.

Resource: Office of the Superintendent of Public Instruction’s (OSPI’s) process found at: <https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/2018-19cedarsreportingguidance.pdf>.

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Classification: **Essential**

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